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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/1-B/66

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following amendment to the Goa Government Cypher Assistant's non-ministerial non-gazetted post Recruitment Rules, 1966 issued under Notification dated 9th September, 1966 and published in the Government Gazette, Series I, No. 30 dated the 27th October, 1966.

AMENDMENT

In the Schedule attached to the said Notification against the post at Serial No. 2 under column 3, for the existing entry substitute:—

«Class III (Ministerial, non-gazetted)».

S. P. Balasubramanian, Chief Secretary.

Panaji, 25th April, 1968.

5th Vaisakha, 1890.

Notification

OSD/RRVS/1-A/67

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following amendment to the Goa Government Ministerial and Stenographers Service Recruitment Rules, 1966 issued under Notification dated 26th April, 1966 published in Government Gazette Series I, No. 4 dated 29th April, 1966 and subsequently amended under Notification dated 14th

July 1967, published in Government Gazette Series I, No. 17 dated 27th July 1967 as follows:—

AMENDMENT

Against the post at Serial No. 7 under column 11 for the existing entry substitute:—

Promotion:

From the grades of Assistants, Senior Stenographers and Cypher Assistant having 3 years of service in the respective grade in the ratio of the strength of the cadres of Assistants on one hand and the combined strength of the cadres of Senior Stenographers and Cypher Assistant on the other. Senior Stenographers and Cypher Assistant recruited direct shall be eligible for promotion only after completion of 8 years of service in the grade.

Transfer/Deputation:

Suitable official holding equivalent post in the Central or any State Government. (Deputation will normally be for a period of 3 years).

S. P. Balasubramanian, Chief Secretary.

Panaji, 25th April, 1968.

Notification

OSD/RRVS/10/66

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa, dated 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following amendment to the Goa Government Directorate of Land Survey (non-gazetted, non-ministerial posts) Recruitment Rules 1966, issued under Notification dated 4th July, 1966 and published in the Government Gazette Series I, No. 19 dated the 11th August, 1966.

AMENDMENT

In the Schedule attached to the said Notification:—

1. Against the post at Serial No. 8.

(a) For the existing entry in column 1 substitute "Field Surveyor".

- (b) For the existing entry in column 7 substitute:—
 (i) S. S. C. or 5th year of Lyceum or an equivalent examination.
 (ii) Qualifying examination for Field Surveyor held by the Land Survey Department of this Administration. Persons knowing the regional languages namely Gujarati/Konkani/Marathi will be given preference.

2. Existing entry against Serial No. 9 may be deleted and the serial numbers of the subsequent entries be changed accordingly.

3. Against the post at Serial No. 10, now renumbered as Serial No. 19.

- (a) For the existing entries in columns 6, 7 and 8 substitute «Not applicable».
 (b) For the existing entry in column 10 substitute «By promotion failing which by Transfer/Deputation».
 (c) For the existing entry in column 11 substitute:—

Promotion:— Field Surveyors with 3 years Service in the grade.

Transfer/Deputation:— Head Surveyors or surveyors with 5 years experience in the grade from the Central/State Government».

- (d) For the existing entry in column 12 substitute «Class III D. P. C.».

S. P. Balasubramanian, Chief Secretary.

Panaji, 2nd May, 1968.

Corrigendum

OSD/RRVS/41/66

In the Schedule attached to the Notification of even number dated 13th November, 1967 published in the Government Gazette Series I, No. 36, dated 7th December, 1967,

1. Against the post at Serial No. 1

- (a) For, "recognised University Institutes or equivalent" appearing in column 7 lines 7 to 9 read "recognised University/Institutes or equivalent".
 (b) For, "Teachers Senior Instructors" appearing in column 11 lines 6 to 7 read "Teachers/Senior Instructors".

2. Against the post at Serial No. 2

For, "recognised University Institute or equivalent" appearing in column 7 lines 35 to 37 read, "recognised University/Institute or equivalent".

3. Against the post at Serial No. 5

For "Rs. 475-25-500-30-590-EB-30-830-35-900" appearing in column 4 read:

"475-25-500-30-590-30-800-EB-30-830-35-900".

D. V. Sawant, Deputy Secretary (Appointments).

Panaji, 9th May, 1968.

Finance (Revenue) Department

Notification

F.D./F.III/2-36/part/873-A/68

In exercise of the powers conferred by the second proviso to sub-section (1) of Section 7 of the Goa, Daman and Diu Sales Tax Act 1964 and in partial modification of the Government Notification No. F. D./F.III/2-36/Part/4888/66 dated 13th September, 1966, the Government is hereby pleased to direct that the tax in respect of sales of mineral ores made to a person other than a registered dealer for the period from 1st November, 1964 to 30th April, 1968 shall be levied at the rate of one paisa in the rupee.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. Subramanian, Finance Secretary.

Panaji, 29th April, 1968.

Finance (Control) Department

Notification

26-1/68/Fin (Control)

Notifications (i) No. F3(3)-NS/68 dated 29-2-1968, (ii) G. S. R. 411 dated 29-2-1968 (iii) F3(5)-NS/68 dated 29-2-1968, (iv) F3(6)-NS/68 dated 29-2-1968, from Government of India, Ministry of Finance, regarding Post Office (Fixed Deposit) Rules 1968. Post Office Savings Certificates Rules 1968. Post Office Savings Banks (C. T. D.) Amendments Rules 1968. Amendments to Ministry of Finance, Notification No. F3(2)-NS/62 dated 1-11-62 are republished for the information of the public.

V. S. Srinivasagopalan, Dy. Secretary (Finance).

Panaji, 17th April, 1968.

MINISTRY OF FINANCE

(Department of Economic Affairs)

Notification

New Delhi, the 29th February 1968

No. F. 3(3)-NS/68.— The Central Government hereby makes the following amendments to the notification of the Government of India, in the Ministry of Finance, No. F. 3(21)-NS/62, dated the 1st November, 1962, relating to 4½% Ten Year Defence Deposit Certificates, namely:—

In the said notification for paragraph 2, the following paragraph shall be substituted, namely:—

"2. Interest (1) The deposit will bear interest at 4½% per annum. Interest will be paid annually on the completion of each period of twelve calendar months from the date of deposit, no interest being payable for any period which is less than twelve months.

(2) In the case of a deposit which is not refunded or encashed before maturity, there will be paid on maturity, to the person entitled to receive the deposit.

and along with and in the same manner as the deposit, an additional interest at the following rates namely: —

(a) In the case of a deposit made on or after the 1st March 1968, at Rs. 2.50 paise for every Rs. 50;

(b) In the case of a deposit made before the 1st March 1968, at the rates specified in the Table below:—

TABLE

Unexpired term of maturity on 1-3-1968						Additional interest for every Rs. 50 of the deposit
Not less than			But less than			Rs.
4 years	5 years	...	...	...	...	1.00
5 years	6 years	...	...	...	...	1.25
6 years	7 years	...	...	...	...	1.50
7 years	8 years	...	...	...	...	1.75
8 years	9 years	...	...	...	...	2.00
9 years	10 years	...	...	...	...	2.25

(3) The interest or the additional interest, as the case may be, payable under the provisions of this paragraph will not be liable to income-tax and will not also be taken into account in calculating the total income for the purposes of income-tax”

A. R. SHIRALI, Jt. Secy.

TABLE A

Face Value	... ...	... ...	... ...	... ...	... ...	Rs. 5	Rs. 10	Rs. 50	Rs. 100	Rs. 500	Rs. 1000	Rs. 5000	Rs. 25000
Surrender value		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
						9	18	90	180	900	1800	9000	45000	

TABLE B

Unexpired term of maturity on 1-3-68		Surrender value for the face value of							
Not less than	But less than	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
		5	10	50	100	500	1000	5000	25000
6	7	8.85	17.70	88.50	177.00	887.40	1774.40	8874.00	44370
7	8	8.85	17.70	88.50	177.00	889.50	1779.00	8895.00	44475
8	9	8.90	17.80	89.00	178.00	891.00	1783.20	8916.00	44580
9	10	8.90	17.80	89.00	178.00	893.70	1787.40	8937.00	44685
10	11	8.95	17.90	89.50	179.00	895.80	1791.60	8958.00	44790
11	12	8.95	17.90	89.50	179.00	897.90	1795.80	8979.00	44895

[No. F, 3(4)-NS/68.]

A. R. SHIRALI, Jt. Secy.

New Delhi, the 29th February 1968

No. F. 3(5)NS/68. — The President hereby makes the following rules further to amend the Post Office Savings Bank (Cumulative Time Deposits) Rules, 1959, published with the notification of the Government of India in the Ministry of Finance (Department of Economic Affairs) No. F. 3(40)NS/58, dated the 19th December, 1958, namely: —

1. (1) These rules may be called the Post Office Savings Bank (Cumulative Time Deposits) Amendment Rules, 1968.

(2) They shall come into force on 1st March, 1968

2. In the Post Office Savings Bank (Cumulative Time Deposits) Rules, 1959.—

- (i) in rule 5, for the figures "300", the figures "500" shall be substituted;
 - (ii) in rule 7,
 - (a) for the figures "300", the figures "500" shall be substituted;
 - (b) in the first proviso, for the figures "54,000", the figures "90,000" shall be substituted;
 - (iii) in rule 7A, in the second declaration under the further proviso to clause (a) thereof,

for the figures "54,000", the figures "90,000" shall be substituted;

(iv) in rule 8A,

(a) for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) Accounts opened before 1st April, 1965, but maturing after the said date, shall, in addition to the amounts specified in Table I, be entitled to the bonus specified in Table 1B."

(b) after sub-rule (2), the following sub-rules shall be inserted, namely:—

"(3) 5-year accounts opened on or after the 1st March, 1968, shall, in addition to the amounts specified in Table I, be entitled to the bonus specified in Table IC and not to the bonus specified in Table IA.

(4) 5-year accounts opened before the 1st March, 1968, but maturing after the said date, shall, in addition to the amounts specified in Table I, be entitled to the bonus

specified in Table 1D and not to the bonus specified in Table 1B."

(c) after Table 1B, the following Tables shall be inserted, namely:—

"TABLE IC

[See rule 8A (3)]

Monthly Deposits of	Maturity bonus 5-year Account
Rs.	Rs.
5 ...	10
10 ...	20
20 ...	40
50 ...	100
100 ...	200
200 ...	400
300 ...	600

The maturity bonus for accounts of other denominations specified in rule 5, shall be in proportion to the maturity bonus set out above for monthly deposits of Rs. 5

TABLE ID
[See rule 8A (4)]

Unexpired term of maturity on 1-3-1968			Maturity bonus for account with a monthly deposit of					
Not less than	But less than	Rs. 5	Rs. 10	Rs. 20	Rs. 50	Rs. 100	Rs. 200	Rs. 300
1 ...	2	8.00	16.00	32.00	80.00	160.00	320.00	480.00
2 ...	3	8.50	17.00	34.00	85.00	170.00	340.00	510.00
3 ...	4	9.00	18.00	36.00	90.00	180.00	360.00	540.00
4 ...	5	9.50	19.00	38.00	95.00	190.00	380.00	570.00

The maturity bonus for accounts of other denomination specified in rule 5, shall be in proportion to

the maturity bonus set out above for monthly deposits of Rs. 5".

A. R. SHIRALI, Jt. Secy.

New Delhi, the 29th February 1968

No. F. 3(6)NS/68.—The President hereby makes the following rules, namely:—

POST OFFICE (FIXED DEPOSITS) RULES, 1968

1. Title, commencement and application.—(1) These rules may be called the Office (Fixed Deposits) Rules, 1968.

(2) They shall come into force on the 15th March, 1968, and shall apply to the Fixed Deposit accounts opened on or after the said date.

2. General.—The Scheme of Fixed Deposits will be operated through the Post Offices and will be governed by the Post Office Savings Bank Rules, 1965, on matters not provided for under these rules.

3. Definitions.—In these rules, unless the context otherwise requires:—

- (a) "account" means the account of a depositor in a Fixed Deposit in the Post Office;
- (b) "Fixed Deposit" means a deposit made under these rules in the Post Office for a specified period;
- (c) "form" means a form appended to these rules;
- (d) "guardian" means a person entitled, under the law for the time being in force, to have the care of the property of a minor or, as the case may be, of a person of unsound mind;
- (e) "post office" means any post office in India doing Savings Bank work; and
- (f) "year" means twelve calendar months commencing from the date from which it is computed.

4. Types of accounts and matters connected therewith.—(1) The types of accounts which may be opened, the persons by whom such accounts may be opened and operated upon, the maximum amount

that can be deposited by any person in an account and other matters connected therewith shall be as specified under the respective columns in the Table below, namely:—

TABLE

Type of account	Who may open ..	Maximum permissible amount of fixed deposit	Number of accounts that can be opened	Who may operate the account
1	2	3	4	5
(1) Single Account ...	(a) A person who has attained the age of majority and who is of sound mind (hereinafter referred to as an adult). (b) A minor. (c) A guardian on behalf of a minor. (d) A guardian of a person of unsound mind.	25,000 25,000 25,000 25,000	One. One. One on behalf of each minor. One on behalf of each person of unsound mind.	The adult: An illiterate adult may operate on his account through a literate agent nominated by him for the purpose. The minor. The guardian during the minority of the minor and thereafter by the ex-minor. The guardian.
(2) Joint Account ...	Two adults payable to (a) both jointly or survivor, or (b) either or survivor.	25,000	One	(a) Both the depositors jointly or the survivor. (b) Either depositor or survivor.

Note:—In the case of a person of unsound mind confined in a mental hospital, the Superintendent of the mental hospital may open an account on behalf of the person so confined and operate on it.

Note:—1 If one depositor dies, the account shall, as from the date of death of such depositor, be deemed to be a single account in the name of the surviving depositor.

2. The maximum limit aforesaid in respect of an individual person shall not apply to the surviving depositor in relation to the amount that has passed by Survivorship or and account as specified in Note I.

(2) Where an account opened in accordance with sub-rule (1) is for an amount which is less than the maximum permissible amount of fixed deposit in respect thereof, the person who has opened that account may deposit further amounts in the same account so however that the maximum amount aforesaid is not exceeded and every such deposit shall be treated as a separate fixed deposit for the purpose of computing the period in respect thereof.

5. Limitations as to opening accounts.—No adult shall have more than one account opened whether in his own name or joint with another.

6. Deposit.—Each fixed deposit shall be for a period of five years commencing from the date of that deposit.

7. Manner of deposit.—(1) Any person authorised to open an account under rule 4 and desiring to make a fixed deposit for the first time shall apply to the Post Office in Form A, together with the amount of deposit which shall be in integral multiples of rupees fifty.

(2) On receipt under sub-rule (1), the post office shall open account in the name of the depositor and issue a passbook to the depositor wherein the amount deposited as also any amounts subsequently deposited by him shall be entered over the signature of the postmaster with the date stamp.

(3) Every fixed deposit shall be made in cash or by crossed cheque drawn in favour of the depositor or the postmaster:

Provided that in the case of an outstation cheque the collection charges, at a rate that may be fixed by the Director General Posts and Telegraphs, shall be payable in respect of such cheque.

8. Repayment.—(1) Each fixed deposit made in a depositor's account will become payable only after the expiry of five years from the date each such deposit.

(2) For every fixed deposit of Rs. 50, the amount payable under sub-rule (1) shall be Rs. 62.50 paise. For fixed deposits of other denominations, the amounts payable shall be calculated proportionately.

(3) The repayment of fixed deposit shall be made only on the production of the passbook accompanied by an application in Form B.

(4) The amount of every repayment shall be entered in the pass-book over the signature of the postmaster, with the date stamp.

9. Repayments of fixed deposits from accounts opened on behalf of a minor or a person of unsound mind.—A repayment shall be made, during the minority of the minor or during the lunacy of the lunatic, to the guardian.

Nomination. — (1) A depositor who is an individual may nominate in Form C, one or more persons, who shall be entitled to receive payment of the fixed deposit in his account, in the event of his death before the fixed deposit has become payable or having become payable, has not been paid.

(2) Where the fixed deposit is payable to two or more nominees and either or any one of them is dead, the amount shall be paid to the surviving nominee or nominees.

(3) No nomination shall be made in respect of an account opened or to be opened on behalf of a minor or a person of unsound mind.

(4) A nomination made by a depositor under sub-rule (1) may be cancelled or varied by the depositor or submitting an application in Form D together with the passbook to the Post Office at which his account stands.

(5) Every nomination and every cancellation or variation thereof shall be effective from the date it is registered in the Post Office which date shall be noted in the passbook.

(6) If the nominee is a minor, the depositor may appoint any person to receive the fixed deposit in the event of his death during the minority of the nominee.

11. Transfer of an account from one Office to another. — A depositor may have his fixed deposit account transferred free of charge to any other post office on making an application.

12. Power to close fixed deposit account. — If a fixed deposit account is found to have been opened in contravention of any provision contained in these rules, the Head Postmaster may at any time cause the account to be closed and the amounts deposited refunded without interest.

FORM A

[See sub-rule (1) of rule]

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

APPLICATION FOR OPENING A FIXED DEPOSIT ACCOUNT

To

The Postmaster ...

I/We tender herewith Rs. ... (in words) ... only for opening a Fixed Deposit in the name(s) of ...

s/o, d/o, w/o ...

address ...

*If the account is to be opened on behalf of a minor. Date of birth of minor ... Date of majority ...

*Strike out if not applicable. Relationship with guardian ...

I/We hereby agree to abide by the Post Office (Fixed Deposit) Rules, 1968, and the amendments that may be made thereto from time to time.

Signature(s)/Thumb - impression of depositor(s)

Dated ...

FORM B

[See sub-rule (3) of rule 8]

APPLICATION FOR WITHDRAWAL

To
The Post Master
Account No. ...

I hereby apply for repayment of the deposit of Rs. ... made on ... in the above account.

PARTICULARS OF MESSENGER

Name of the Messenger
Signature of the Messenger
Signature of the Identifier
(if necessary)

Signature(s)/Thumb - impression of depositor(s)

Dated ...

N.B. — The attention of the depositor is drawn to the instructions printed on the cover of the Passbook.

CAUTION

The receipt for payment is to be signed only at the time of actual payment. The Post Office will not accept any liability for any loss sustained by the depositor as a result of disregard of this direction.

REVERSE

Date of Repayment ...

WARRANT OF PAYMENT

Account No. ...
Passed for payment of Rupees (in words) ...
Rupees (in figures) ...

Signature of Postmaster

Post Office
Date—Stamp

Receipt for payment

Received payment of Rupees (in words) ... only,
Rupees (in figures) ...

Signature/Thumb-impression
of the depositor(s) or Messenger

Dated ...

Signature of Identifier
(if necessary)

Dated ...

FORM C

(See rule 10)

I ... hereby nominate the person(s) mentioned below to whom, to the exclusion of all other persons, in the event of my death, the amount standing at credit in my Fixed Deposit account No. ... shall be payable.

Serial No.	Name of the nominee	Full Address	Date of birth of nominee in case of minor
------------	---------------------	--------------	---

As the nominee(s) at Sl. No. ... is/are minor(s), I appoint Shri/Smt/Kumari ... (full address) to recover the sum due in the event of my death during the minority of the nominee(s).

Signature and Full Address
of Witness

Signature of Depositor

ORDERS OF THE HEAD POSTMASTER

The fixed deposit account has been opened on ... for Rs. ...
Date Stamp.

under Account No. ... and nomination has been registered.

Signature of Head Postmaster.

FORM D

(See sub-rule (4) of rule 10)

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Serial No. ...

APPLICATION FOR CANCELLATION OR VARIATION OF NOMINATION PREVIOUSLY MADE IN RESPECT OF FIXED DEPOSIT ACCOUNT NO. ... UNDER POST OFFICE (FIXED DEPOSITS) RULES, 1968.

(In the case of an account which stands in the books of a Sub or Branch Savings Bank, the application may be made through the Sub or a Branch Savings Bank).

To

The Head Postmaster
(through ...)

I, ..., the depositor in respect of Fixed Deposit account No. ... hereby cancel the nomination made by me in respect of Fixed Deposit Account No. ...

*In place of the cancelled nomination, I hereby nominate the persons/mentioned below who shall, on my death, become entitled to the payment of the sum due on the above account to the exclusion of all other persons. The Pass Book is enclosed.

Serial No.	Name of the nominee	Full Address	Date of birth of nominee in case of minor

*To be filled in case of variation only.

As the nominee/s at serial No. ... is/are minor/s, I appoint Shri/Shrimati/Kumari ... (name and full address) as the person to recover the sum due on the Fixed Deposit account in the event of my death during the minority of the nominee/s.

Yours faithfully,

Address:
(in case of an illiterate depositor, father's name should be given).

Signature (thumb impression if illiterate) of depositor.

Witness:

Name (1)
Address
Name (2)
Address

N. B.—In the case of illiterate depositors, the witnesses shall be persons whose signatures are known to the Post Office.

Signature of the Head Postmaster.

Date Stamp of the Post Office.

A. R. SHIRALI, Jt. Secy.



Labour and Information Department

ORDER

LC/1/68

The following Notification from the Government of India, Ministry of Labour, Employment and Rehabilitation (Dept. of Labour & Employment), New Delhi, is hereby republished for the information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

B. Ram, Secretary, Industries and Labour Department.

Panaji, 30th April, 1968.

Notification

G. S. R.—The following draft of rules further to amend the Industrial Disputes (Central) Rules, 1967, which the Central Government proposes to make, in exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (14 of 1947), is hereby published, as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th May, 1968.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

DRAFT RULES

1. (1) These rules may be called the Industrial Disputes (Central) Amendment Rules, 1968.

(2) They shall come into force at once.

2. In rule 10B of the Industrial Disputes (Central) Rules, 1957—

(1) for the proviso to sub-rule (1), the following proviso shall be substituted, namely:—

“Provided that where the Labour Court, Tribunal or National Tribunal, as the case may be, considers it necessary, it may—

- (a) extend the time limit for filing of such statement; or
- (b) reduce the time limit for filing of such statement to one week in emergent cases for reasons to be recorded in writing; or
- (c) where both the parties agree, reduce the time limit for filing of such statement as per agreement; or
- (d) where both the parties agree, dispense with the requirement of filing such statement altogether”.

(2) for the second proviso to sub-rule (2), the following proviso shall be substituted, namely:—

“Provided further that where the Labour Court, Tribunal or National Tribunal, as the case may be, considers it necessary, it may—

- (a) extend the time limit for filing of such rejoinder; or
- (b) reduce the time limit for filing of such rejoinder to one week in emergent cases for reasons to be recorded in writing; or
- (c) where both the parties agree, reduce the time limit for filing of such rejoinder as per agreement; or
- (d) where both the parties agree, dispense with the requirement of filing such rejoinder altogether”.

(F. No. 2/2/67-LRI)

O. P. TALWAR

Under Secretary

ORDER

LC/5/PWA/68

The following Notification from the Government of India, Ministry of Labour, Employment and Rehabilitation (Dept. of Labour & Employment), New Delhi, is hereby republished for the information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

B. Ram, Secretary, Industries and Labour Department.

Panaji, 1st May, 1968.

Notification

S. O. ... PWA/Procedure/Rules/Am. The following draft rules further to amend the Payment of Wages (Procedure) Rules, 1937, is so far as they apply in relation to railways, mines, oil-fields, and air transport services, which the Central Government proposes to make, in exercise of the powers conferred by sub-section (1) and (2) of section 26 of the Payment of Wages Act, 1936 (4 of 1936), is published as required by sub-section (5) of section 26 of the said Act for the information of all persons likely to be affected thereby, and will be taken into consideration on or after the 25th June, 1968.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified above will be considered by the Central Government. Such objections or suggestions may be addressed to the "The Secretary to the Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) Shram-Sahkti Bhavan, Rafi Marg, New Delhi".

DRAFT RULES

1. These rules may be called the Payment of Wages (Procedure) Second Amendment Rules, 1968.

2. In the Payment of Wages (Procedure) Rules, 1937, (hereinafter referred to as the said rules), in rule 2, for clause (e), the following clause shall be substituted, namely: —

"(e) 'employer' includes the persons responsible for the Payment of Wages under section 3 and in the case of a deceased employer his legal representative".

3. In the said Rules, in Form F, after item 11, the following item shall be inserted, namely:

"12. Date by which the amounts awarded shall be paid".

[19(10)/68-Fac. I]

J. D. TEWARI
Under Secretary

ORDER

LC/EPF/12/68

The following Notification from the Government of India, Ministry of Labour, Employment and Re-

habilitation (Department of Labour and Employment), New Delhi, is hereby republished for information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

B. Ram, Secretary, Industries and Labour Department.

Panaji, 1st May, 1968.

Notification

3/1/67-PFII

Dated the 5th March, 1968

G. S. R. — In exercise of the powers conferred by section 5, read with sub-section (i) of section 7, of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely: —

1. This Scheme may be called the Employees' Provident Funds (Second Amendment) Scheme, 1968.
2. In the Employees' Provident Funds Scheme, 1952, —
 - (i) sub-paragraph (3) of paragraph 52 shall be omitted;
 - (ii) Form 7 shall be omitted.

DALJIT SINGH
Under Secretary.

Mormugao Port Trust**Notification**

MPT/IGA(E.916)/68

As required under Section 124(2) of the Major Port Trusts Act, 1963, the following amendments which have been adopted by the Board of Trustees are hereby published: —

Amendments to Mormugao Port Employees' (Temporary Service) Regulations, 1964

I — Substitute the following for the existing Regulation No. 11 of the Mormugao Port Employees' (Temporary Service) Regulations, 1964: —

(11) *Terminal Gratuity payable to temporary employees.*

(1) A temporary employee who retires on superannuation or is discharged from service or is declared invalid for further service, shall be eligible for a gratuity at the rate of one-third of a month's pay for each completed year of his service, provided that he had completed not less than five years' continuous service at the time of retirement, discharge or invalidment.

(2) In the event of death of a temporary employee while in service, his family shall be eligible for a

-death gratuity on the scale and subject to the conditions specified below:—

- (a) if the death takes place after completion of year's service but before completion of three years' service, a gratuity equal to one month's pay;
- (b) if the death takes place after completion of three years' service but before completion of five years' service, a gratuity equal to two month's pay;
- (c) if the death takes place after completion of five years' service but before completion of ten years' service, a gratuity equal to three months' pay or the amount of terminal gratuity as calculated under Sub-Regulation (1) above, whichever is more.

Explanation: — “Pay” for the purpose of determining the amount of terminal or death gratuity under Sub-Regulation (1) and (2) above shall include pay on the last day of service but shall not include special pay, personal pay and other emoluments classed as “Pay”. In the case of an employee who was on leave with or without allowances on the date of his retirement, discharge, invalidment or death, pay for this purpose shall be the pay which he drew immediately before proceeding on such leave, provided that the benefit of increase in pay not actually drawn due to increment or promotion to a post carrying a higher rate of pay falling during earned leave not exceeding 120 days or the first 120 days of earned leave where the total leave exceeds 120 days, shall also be admissible.

(d) A temporary employee who dies while in service or retires or is discharged for reasons other than by way of disciplinary measure or resignation, after rendering a continuous service of not less than ten years, shall be eligible for a gratuity at the rate of one month's pay for each completed year of service, subject to the following maxima:—

- (i) in case of death, 12 months' pay or Rs. 12,000/- whichever is less,
- (ii) in other cases, Rs. 12,000/-.

Note: — The gratuity under Clause (d) shall be calculated on the basis of the average of last twelve months' pay.

“Pay” for this purpose shall mean Pay, Special Pay, Personal Pay and any other emoluments classed as pay for this purpose.

Provided that the grant of gratuity under this Regulation shall be subject to the service rendered by the employee concerned being held by the authority competent to appoint him to be satisfactory.

Provided further that no gratuity shall be admissible in a case where the employee concerned resigns his post or is removed or dismissed from service as a disciplinary measure.

Provided further that an employee who has received terminal/death gratuity under this regulation will cease to be eligible for any other gratuity or pensionary benefit.

Provided further that nothing in this regulation shall apply to persons borne on an establishment to which Contributory Provident Fund benefits or other similar benefits are attached.

Provided further that service rendered on re-employment basis after attaining the age of superannuation will not qualify for gratuity admissible under this regulation.

II — Substitute the following for the existing Regulation No. 12 of the Mormugao Port Employees (Temporary Service) Regulations, 1964.

12. Terminal Gratuity payable to an employee in quasi-permanent service.

(1) An employee in quasi-permanent service shall, if his services are terminated otherwise than as a disciplinary measure or by resignation, be eligible for a gratuity at the rate of one half of a month's pay for each completed year of quasi-permanent service, such gratuity being payable on the basis of pay admissible to such employee in respect of the specified post on the last day of his service.

(2) In the event of death of a quasi-permanent employee while in service, his family shall be granted gratuity on the following scale:—

(i) if the death takes place after completion of three years, but before completion of five years of total continuous service a gratuity equal to three months' pay;

(ii) if the death takes place after completion of five years' total continuous service, but before completion of ten years' service, a gratuity equal to four months' pay or gratuity under Sub-Regulation (1) above, whichever is more.

Note: “Pay” shall mean, besides pay, special pay attached to the specified post on the last day of his service.

(iii) A quasi-permanent employee who dies while in service or retires or is discharged for reasons other than by way of disciplinary measure or resignation after rendering a continuous service of not less than ten years, shall be eligible for a gratuity at the rate of one month's pay for each completed year of service, subject to a maximum of Rs. 12,000/-.

Note: (1) The gratuity under Clause (iii) shall be calculated on the basis of the average of last twelve months' pay.

“Pay” for this purpose shall mean pay, special pay, personal pay and any other emoluments classed as pay for this purpose.

(2) An employee who received terminal/death gratuity under Sub-Regulation 2 will cease to be eligible for any other gratuity or pensionary benefit.

Provided that this regulation shall not apply to an employee to whom Contributory Provident Fund benefits are admissible.

Provided further that service rendered on re-employment basis after attaining the age of superannuation will not qualify for gratuity admissible under this regulation.

Explanation: For the purpose of Regulation No. 11—

- (a) "Quasi-permanent service" shall mean and include two-thirds of purely temporary service as defined in Clause (vi) of Regulation 2, if the total period of continuous service on the date of retirement, discharge, death or invalidment is not less than five years.
- (b) In the case of quasi-permanent employee who holds or held a higher post or grade at the time of termination of his service under these Regulations, the term "Pay" shall include also one-half of the difference between the pay in the specified post and pay actually drawn in the higher officiating post or grade.
- (c) If immediately before the termination of his service, a quasi-permanent employee has been absent from duty on leave, the gratuity payable under this Regulation shall be computed at what it would have been had he not been absent from duty.

Provided that the amount of gratuity shall not be increased on account of increase in pay not actually drawn and that benefit of higher officiating or temporary pay is given only if it is certified that the employee would have continued to hold the higher officiating or temporary appointment but for his proceeding on leave.

Provided further that the benefit of increase in pay not actually drawn due to increment or promotion to a post carrying a higher rate of pay falling during earned leave not exceeding 120 days or the first 120 days of earned leave where the total leave exceeds 120 days, shall be admissible.

- (d) The term "continuous service" occurring in this Regulation means the total service including spells of quasi-permanent and

temporary service as defined in Clauses (iv) and (vi) of Regulation No. 2 respectively.

III—Re-number the existing Regulation 12 as Regulation 13.

By order,

P. G. Kundaji
For Secretary

Mormugao, 22nd April, 1968.

(2nd time)

Notification

MPT/IGA(E.344)/68

As required under Section 124(2) of the Major Port Trusts Act, 1963, the following amendment to the Mormugao Port Employees (Leave) Regulations, 1964 adopted by the Board of Trustees is hereby published:—

"Substitute sub-regulation (2) of Regulation 5 of the Mormugao Port Employees (Leave) Regulations, 1964 by the following:

Where an employee does not resume his duty after remaining on leave for a continuous period of five years, or where an employee, after the expiry of his leave remains absent from duty, otherwise than on foreign service or on account of suspension for any period which together with the period of leave granted to him exceeds five years, he shall unless the Board in view of the exceptional circumstances of the case otherwise directs, be removed from service after following the procedure laid down in the Mormugao Port Employees' (Classification, Control and Appeal) Regulations, 1964".

By order,

P. G. Kundaji
For Secretary

Mormugao, 22nd April, 1968.

(2nd time)